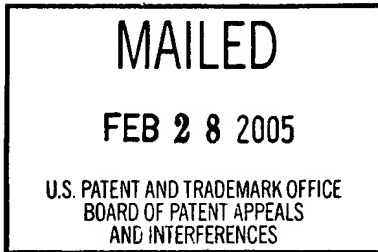


UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte KAZUHIRO ASADA

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Application No. 09/899,919

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on February 1, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing are identified below:

Appellant filed an Information Disclosure Statement (IDS) on September 15, 2003. The references listed in the IDS of the Image file wrapper (IFW) have not been initialed nor has the IDS been signed and dated. Also, we find no mention of consideration of the IDS in any of the examiner's subsequent actions. Therefore, it is not clear from the record whether the examiner considered the statement submitted or whether the examiner notified appellant of why the submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application No. 09/899,919

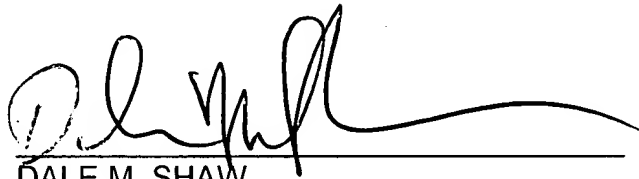
Accordingly, it is

ORDERED that the application is being electronically returned to the examiner for consideration of the IDS filed September 15, 2003, notification to appellant in writing of consideration and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'D. Shaw', written over a horizontal line.

DALE M. SHAW  
Program and Resource Administrator  
(571) 272-9797

cc: OLIFF & BERRIDGE, PLC  
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DMS/vsh